

Medicare

I might point out to hon. members that there was a certain attractiveness from my point of view about the amendment moved by the hon. member for Burnaby-Coquitlam. I had to consider, first of all, if the amendment had been held to be in order, whether it could be accepted. I had to look not only at the rules of the house, but at the British North America Act, which gives a direction in section 54 with respect to a matter of this kind. That section reads:

It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to that house by message of the Governor General in the session in which such vote, resolution address, or bill is proposed.

So we are confronted, Mr. Speaker, not only with the rules of parliamentary procedure but with a provision of the constitution which stipulates that any resolution proposed in the house cannot go beyond the purposes stipulated in the royal recommendation.

It has been made perfectly clear in our discussion, Mr. Speaker, that the effect of these amendments is to provide for purposes not specified in the royal recommendation, and therefore seeks powers not conferred upon the house by the royal recommendation. That really is the issue, Mr. Speaker. It is a procedural and constitutional issue, and I suggest that because it is such, however desirable in the long term is the amendment of the hon. member for Simcoe East, it is out of order at this time.

Let me assure him that I appreciate the sincerity of his motives and the desirability of the long-term objective of this amendment. I am sure that as time goes on provision will be made in our health insurance scheme for these other professions to which he refers in his amendment. But within the scope of the original resolution I suggest that this amendment is out of order.

Mr. Baldwin: Would the minister accept a question? In view of his great love and affection for the British North America Act, for which I compliment him, I should like to ask the minister, if he is standing upon the provisions of section 54 of that act, whether he does not also feel he would be wise to rely upon sections 91 and 92, instead of throwing into disarray those two provisions by interfering through this legislation with provincial rights in respect to health and the registration of

[Mr. MacEachen.]

associations of professional people such as optometrists and chiropractors? This is the effect of this legislation at the present time.

Mr. MacEachen: Mr. Speaker, the question raised by the hon. member for Peace River is an important one. It is not a matter relating to the point of order. I should be happy to deal with it on a later clause in the bill.

● (5:10 p.m.)

With the indulgence of the hon. member for Kamloops, may I say that in addition to the constitutional arguments made, I still stand on the argument made in the committee on all previous amendments, arguments which on six occasions were adopted by the Deputy Speaker.

Hon. E. D. Fulton (Kamloops): Mr. Speaker, I should like to exercise a short right of reply to the argument advanced by the minister.

Mr. Speaker: I am not sure that the rules of the house allow any member a short right of reply, unless an hon. member claims under the standing orders that he wants to clarify a point on which he alleges he was misquoted or misunderstood by a previous speaker. Alternatively, if hon. members agree to allow the hon. member for Kamloops to make additional comments, that might serve as well. There seems some disposition to this effect.

Some hon. Members: Agreed.

Mr. Fulton: I understood that in effect we are arguing a point of order before you. If there be any question that under the rules there is no right of reply, because we are establishing perhaps new grounds here and this is the first time such an appeal has been taken, I do not wish to ask for a right which is not contemplated in the rules. I was of the opinion that the rules gave me the right to speak again, but I shall gladly accept Your Honour's ruling, if Your Honour is of the opinion that I have not the right to speak again.

Mr. Speaker: I am not clear about any opinion at this stage. Certainly, there seems to be no objection to allowing the hon. member for Kamloops to speak. This has been a very enlightening and interesting discussion, and I am sure there is no objection to allowing the hon. member for Kamloops to make additional comments.

Mr. Fulton: The reply I want to make is to that portion of the minister's argument in